

**BTSC**Broome-Tioga  
Stormwater  
Coalition**Dee Golazeski, Chair**  
**Town of Union**  
**Planning and Code Enforcement Director**  
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November 4, 2010

**Water Docket**  
**Environmental Protection Agency**  
**Mailcode: 28221T**  
**1200 Pennsylvania Ave., NW.**  
**Washington, DC 20460**

To Whom It May Concern:

The Broome-Tioga Stormwater Coalition (BTSC) recognizes the importance of a healthy and thriving Chesapeake Bay and commends efforts to restore the Bay ecosystem. However, we feel that the EPA's draft Total Maximum Daily Load (TMDL) is inequitable, unattainable, and threatens to be punitive to our State and our local economies. We support the position of the NYS Department of Environmental Conservation and its water quality partners, and their assessment as put forward in the draft Watershed Implementation Plan.

The communities of New York State that comprise the headwaters of the Susquehanna and Chemung River watersheds have long recognized their role as partners in the restoration of the Chesapeake Bay. In acknowledgment of that role, New York State has made great strides to improve water quality through stringent regulations and programs in the areas of stormwater pollution prevention and agricultural environmental management, exceeding those mandated by the federal government. As a result, New York State water quality far exceeds that of other jurisdictions in the Chesapeake Bay watershed. The BTSC comprised of 15 municipalities in Broome and Tioga Counties, was formed in 2004 to address the issues surrounding local stormwater pollution and has worked toward goals to reduce our pollutant load to the Chesapeake Bay.

EPA's proposed TMDL imposes disproportionately heavy restrictions on NY. If other states reached the level of performance achieved in New York over the past decade for Nitrogen and Phosphorous, there would be no need for a TMDL. Even if other states in the watershed achieve their mandated allocations, their water would still contain more N and P than New York at present.

The implementation of the TMDL will require New York State and local communities to embark on a project addressing agriculture, urban stormwater and wastewater treatment plants at a cost on the order of billions of dollars. This will have dramatic impacts on the economies of the Southern Tier as farms close faced with the cost of compliance and economic development is hindered by an additional cost of doing business.

**Chair**Daria Golazeski  
Town of Union**Counties**Broome County  
Tioga County**Municipalities**Town of Binghamton  
Town of Chenango  
Town of Conklin  
Town of Dickinson  
Town of Fenton  
Town of Kirkwood  
Town of Owego  
Town of Union  
Town of Vestal  
City of Binghamton  
Village of Endicott  
Village of Port  
Dickinson**Partners**Broome County SWCD  
Tioga County SWCD  
NYS DOT Region 9

Since the BTSC's inception we have worked closely with the NYSDEC and we are confident that New York State has put forth a concerted effort to devise a draft Watershed Implementation Plan that sets forth goals to achieve realistic and attainable results. Yet, these efforts still have fallen short of the EPA's desired reductions. Due to the already low pollutant levels in New York these required reductions cannot be met, and therefore, the extreme expense associated with the mandates will be fruitless. Rather than imposing a penalty for the great strides that have been achieved, the successes that have been accomplished in New York, by the NYSDEC, the BTSC and other groups committed to water quality improvement, should be held as a model for other jurisdictions in the Chesapeake Bay Watershed.

The restoration of the Chesapeake Bay requires the participation of all partners and jurisdictions located in the Bay watershed. In order to move forward in confidence, the TMDL load allocations need to be viewed as equitable, attainable and affordable by all parties involved.

Therefore, in regard to the establishment of the Chesapeake Bay TMDL in New York State, the Broome-Tioga Stormwater Coalition stands by the assessment of the NYS Department of Environmental Conservation and its water quality partners as set forth in the draft Watershed Implementation Plan. Furthermore, we urge the EPA to work with New York to develop a plan that will restore the Bay in a manner that is not an unbearable burden on New York State communities.

Thank you for your attention on this important matter.

Sincerely,

A handwritten signature in black ink that reads "Daria Golazeski". The signature is fluid and cursive, with a small mark at the end that appears to be "DGA".

Daria Golazeski, Chair  
Broome-Tioga Stormwater Coalition